

REMARKS

Claims 1 - 8 are presented in this reissue application and remain active in accordance with the above preliminary amendment. No new matter has been introduced into this reissue application as will be demonstrated below.

The assignee hereby offers to surrender U. S. Patent 6,363,412 upon allowance of the present reissue application. Applicant is unaware of any current or prior proceeding such as interference, reissue, reexamination or litigation in which this patent is or was involved.

The amendments presented above are identical to amendments presented in a timely filed (February 8, 2002, concurrently with the issue fee) amendment under 37 C.F.R. §1.312 in U. S. Patent Application 09/736,445, which has matured into U. S. Patent 6,363,412, for which reissue is sought in the concurrently filed reissue application. Subsequent to filing the amendment under 37 C.F.R. §1.312, an inquiry as to the Examiner's disposition of the amendment was made on February 19, 2002. At that time, Examiner Walmsley indicated that the amendment under 37 C.F.R. §1.312 had not reached the file and a copy thereof, together with a copy of the postcard receipt was provided to Examiner Walmsley by facsimile to expedite consideration thereof. U. S. Patent 6,363,412 issued April 16, 2002, but did not include the amendments presented in the amendment under 37 C.F.R. §1.312. No acknowledgment or indication of the Examiner's disposition regarding the amendment under 37 C.F.R. §1.312 was received thereafter. On April 13, 2004, the undersigned was informed by Ms. Greenlief of the USPTO that the amendment under 37 C.F.R. §1.312 filed February 8, 2004, had not yet been associated with the file and, while the copy provided on February 19, 2004

was in the file, no indication of the Examiner's consideration thereof appeared in the file. This reissue application is being filed to obtain the previously requested amendments which, through error of the USPTO, were not considered in the original application or published in U. S. Patent 6,363,412.

As indicated in the amendment under 37 C.F.R. §1.312, The Examiner had required, in the Notice of Allowability in U. S. Patent application 09/736,445, that the specification be reviewed and Editorial revisions made where needed. As a result of that required review, the above amendments were requested to improve descriptiveness and correspondence of claim language with the terminology of the specification and to improve antecedent language correspondence within the claims. Therefore, it is believed that the scope of the claims is unaffected by the amendments. In fact, it appears that the amendments are well-supported and the changes determinable from the claims as allowed. The following copy of the claims, as amended above, is provided with parenthetical indications of exemplary support in the original patent and application papers to provide a detailed demonstration in compliance with 37 C.F.R. §1.173(c) that the amendments do not contain new matter and that ample support for the amendments is present in the original application and patent:

1. (Currently Amended) A method of Huffman encoding symbols comprising steps of
defining a seed value for the first occurrence of a code of a given length in a table,
storing a length of a code word,
storing said length and said code word in a first format when a number of bits of said [number] length
(Abstract, line 3, column 4, lines 22 - 26, column 7, line 61 to column 9, line 25, claim lines 4 and 5) and

said code word are less than or equal to a predetermined number of bits, and

storing an index to said seed value, an offset and said code word in a second format when said [number] length (Abstract, line 3, column 4, lines 22 - 26, column 7, line 61 to column 9, line 25, claim lines 4 and 5/column 12, lines 32 - 33) and said [image data] code word (column 3, lines 6 - 65 (including both terms), claim 1, line 5/column 12, line 33) comprise a number of bits greater than said predetermined number of bits.

2. (Original) A method as recited in claim 1, wherein said symbols are JPEG R/S bytes.

3. (Currently Amended) A method recited in claim 1 wherein said code [words are] represents compressed (column 1, lines 51 - 67, column 2, lines 22 - 36, claim 1, line 3/column 12, line 31) image data.

4. (Currently Amended) A method as recited in claim 3, wherein said image compressed (column 2, lines 22 - 36, claim 3, line 2/column 12, line 45) data is JPEG compressed (column 2, lines 22 - 36, claim 3, line 2/column 12, line 45) image data.

5. (Original) A method of Huffman decoding compressed data including steps of

testing bits of a data stream with each of a plurality of test criteria to determine a length of a valid Huffman code,

combining one of a plurality of offsets corresponding to said length with said valid Huffman code to form an index, and

accessing a symbol value in a Huffman table using said index.

6. (Original) A method as recited in claim 5, including the further step of
 computing said test criteria and said plurality of offsets from Huffman table data.

7. (Currently Amended) A method recited in claim 5 wherein said [compressed] data stream (column 2, lines 22 - 36, claim 5, line 3/column 12, line 50) [are] is compressed (column 1, lines 51 - 67, column 2, lines 22 - 36, claim 1, line 3/column 12, line 48) image data.

8. (Currently Amended) A method as recited in claim 7, wherein said compressed (column 1, lines 51 - 67, column 2, lines 22 - 36, claim 5, line 1/column 12, line 48) image data is compressed (column 1, lines 51 - 67, column 2, lines 22 - 36, claim 5, line 1/column 12, line 48) JPEG image data.

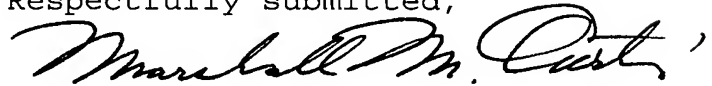
Therefore, it is respectfully submitted that the above amendments are clearly fully supported and do not introduce new matter into the application but are directed to matters of descriptiveness and correspondence with the language of the specification and antecedent language in the claims. Further, since the amendments are directed to accuracy of description of the claims and their terminology, the scope of the amended claims relative to the intended scope of the original claims is believed to be unaffected by the above amendments and that the amended claims are directed to the invention the applicants intended to claim in the original application. Nevertheless, the inaccuracy of terminology as well as inconsistency of antecedent language correspondence in the patent , as issued, and which the present reissue application seeks to correct, may cause patent 6,363,412 to be wholly or partly inoperative by claiming more or less than the Applicants had a right to claim or due to

indefiniteness. Moreover, it is respectfully submitted to be clear from the foregoing and the declaration of the inventors, that the errors arose without any deceptive intention and are largely the result of the USPTO failing to properly consider the amendment under 37 C.F.R. §1.312 filed February 8, 2002, in the original application.

In view of the foregoing, early and favorable action on the concurrently filed reissue application is respectfully requested.

Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 09-0457 of International Business Machines Corporation (Endicott).

Respectfully submitted,



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